



Oversight and Governance

Chief Executive's Department
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Published 30 September 2022

CITY COUNCIL

Friday 30 September 2022
1.00 pm
Council House, Plymouth

Members:

Lord Mayor, Chair

Deputy Lord Mayor, Vice Chair

Councillors Allen, Mrs Aspinall, Mrs Beer, Bingley, Mrs Bowyer, Briars-Delve, Mrs Bridgeman, Burden, Carlyle, Churchill, Coker, Collins, Cree, Cresswell, Dann, Darcy, Deacon, Drear, Evans OBE, Finn, Goslin, Harrison, Haydon, Hendy, Holloway, Hulme, Kelly, Laing, Loveridge, Lowry, Luggier, Dr Mahony, McDonald, Murphy, Nicholson, Partridge, Patel, Penberthy, Mrs Pengelly, Poyser, Reilly, Rennie, Riley, Salmon, Shayer, Singh, Smith, Stevens, Stoneman, Tippetts, Tofan, Tuffin, Tuohy, Vincent, Wakeham, Ms Watkin and Wheeler.

Members are invited to attend the above meeting to consider the items of business overleaf.

For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

Tracey Lee

Chief Executive

City Council

Agenda

1. Apologies

To receive apologies for absence submitted by councillors.

2. Declarations of Interest

3. Appointment of Interim Section 151 Officer (Head of Finance) (Pages 1 - 6)

4. Questions by Councillors

Questions to the Leader, Cabinet Members and Committee Chairs covering aspects for their areas of responsibility or concern by councillors in accordance with Part B, paragraph 12 of the constitution.

City Council



Date of meeting:	30 September 2022
Title of Report:	Appointment of Interim S151 Officer (Service Director Finance)
Lead Member:	Councillor Shayer (Cabinet Member for Finance)
Lead Strategic Director:	Andy Ralphs (Strategic Director of Customer and Corporate Services)
Author:	Kim Brown, Service Director HROD
Contact Email:	kim.brown@plymouth.gov.uk
Your Reference:	Click here to enter text.
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

This report relates to the appointment of the Council's Section 151 Officer following the resignation of Brendan Arnold, and the selection process for an interim Service Director Finance.

At its meeting held on 30 September 2022, the Chief Officer Appointments Panel agreed to appoint David Northey as the Council's Interim Service Director Finance. The S151 responsibilities are included in the role profile but the designation of an officer to act as Responsible Finance Officer (S151 Officer) is a decision for Full Council.

Recommendations and Reasons

1. That David Northey is confirmed as the Council's Section 151 Officer with effect 3 October 2022 at midnight.

The reason for this appointment is to meet our statutory obligation under Section 151 of the Local Government Act 1972. The Local Government and Housing Act 1989 also requires that the post holder is a member of one of the CCAB accountancy bodies.

2. That Brendan Arnold the outgoing S151 officer is thanked for his contribution to the Council.

Alternative options considered and rejected

The appointment of a Section 151 Officer is a statutory requirement under Section 151 of the Local Government Act 1972.

Relevance to the Corporate Plan and/or the Plymouth Plan

In order to deliver the Corporate Plan it is important that the Council provides services in the most efficient and effective way to meet the needs of its customers and residents.

Implications for the Medium Term Financial Plan and Resource Implications:

The cost of employing a permanent Service Director Finance is included in the overall Council Budget 2022/23 and Medium Term Financial Plan, within the Customer and Corporate Services directorate.

Carbon Footprint (Environmental) Implications:

It is the responsibility of all senior officers to ensure we develop and deliver our plans for both ensuring the Council is carbon neutral by 2030 and leading the City in carbon reduction. Being digitally enabled will be a significant contributor enabling the Council and City to work, connect and behave differently in the future.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

No implications.

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7

Background papers:

**Add rows as required to box below*

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

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Originating Senior Leadership Team member: Andy Ralphs											

Please confirm the Strategic Director(s) has agreed the report? Yes

Date agreed: 30/09/2022

Cabinet Member approval: Verbally approval from Councillor Shayer

Date approved: 30/09/2022

DESIGNATION OF S151 OFFICER

I. Authority and responsibilities

- 1.1 The Service Director Finance is the officer who has statutory responsibility to ensure the proper administration of the Council's financial affairs by virtue of section 151 of the Local Government Act 1972 and is required to hold appropriate skills and qualifications to undertake this role.
- 1.2 The appointment of the Section 151 Officer/Responsible Finance Officer is personal to that officer and once appointed by Council, s/he has personal responsibilities to the Council as a whole.
- 1.3 The Council's Constitution (Part A, Section 10.4) sets out the main duties of the Responsible Finance Officer/Section 151 Officer:
- (a) **To make sure decisions are lawful and financially prudent.** After consulting with the Head of Paid Service and the Monitoring Officer, the Responsible Finance Officer will report to the Full Council and the Council's external auditor if he/she considers that any proposal, decision or course of action would incur unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency, or if the Council is about to enter an item of account unlawfully.
 - (b) **To administer financial affairs.** The Responsible Finance Officer will have responsibility for the administration of the financial affairs of the Council.
 - (c) **To contribute to corporate management.** The Responsible Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
 - (d) **To provide advice.** The Responsible Finance Officer or designee will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors and will support and advise Councillors and officers in their respective roles.
 - (e) **Providing financial information.** The Responsible Finance Officer or designee will provide financial information to the media, members of the public and the community.
 - (f) **Restrictions on Post.** The Responsible Finance Officer cannot be the Monitoring Officer. The Head of Paid Service and the Responsible Finance Officer can be the same person but the Responsible Finance Officer must be a qualified accountant.
- 1.4 The S151 Officer may deputise his duties to another officer, it may not, however, be to the Head of Paid Service or the Monitoring Officer who are not allowed to hold the S151 Officer role.

2. Recruitment

- 2.1 At its meeting held on 29 July 2022, the Chief Officer Appointments Panel approved for the recruitment process to commence to secure a Service Director Finance.
- 2.2 On 30 September 2022, the Appointments Panel agreed to appoint David Northey as the Council's Interim Service Director for Finance.

- 2.3 The Constitution requires notification of the proposed appointment to be given to each member of the Cabinet to give them an opportunity to object to the proposal. Such notification has been given to the Cabinet and no objections were received.

3. Council approval

The S151 responsibilities are included in the role profile of the Service Director for Finance but the designation of an officer to act as Responsible Finance Officer (S151 officer) is a decision for Full Council.

4. Recommendations and Reasons

1. That David Northey is confirmed as the Council's Section 151 Officer with effect 3 October 2022 at midnight.

The reason for this appointment is to meet our statutory obligation under Section 151 of the Local Government Act 1972. The Local Government and Housing Act 1989 also requires that the post holder is a member of one of the CCAB accountancy bodies.

2. That Brendan Arnold the outgoing S151 officer is thanked for his contribution to the Council.

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